



NEWS RELEASE

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Governor Leavitt Signs HB 160 Into Law

HB160 Provides State Liability Protection to Healthcare

Providers giving Smallpox Vaccine

(Salt Lake City, UT) – This morning Governor Michael O. Leavitt signed into law House Bill 160. This bill provides Utah's health care community additional liability protection as many move toward giving Smallpox vaccinations to health care response teams. This puts Utah's state and local health departments one step closer to begin giving smallpox shots.

Recognizing that there are risks associated with the vaccine that provides protection against the smallpox disease, the U.S. Congress agreed to accept liability for any claims that result from this program, as long as Section 304 of the Homeland Security Act is consistent with state law. HB 160 is a key piece of Utah's plan to assure that we are abiding by the Federal rules.

Representative Marda Dillree's HB 160 makes these important clarifications to current law:

- State and local health departments will have legal authority to administer the smallpox vaccine in clinics.
- Private providers, hospitals, doctors, and nurses will have authority to participate in the plan submitted by Utah and approved by the Centers for Disease Control and Prevention (CDC).
- The same public and private entities will take full advantage of the protections against liability offered by Section 304 of the Homeland Security Act.
- Broadened public health ability to respond to particular disasters including a bioterrorism event.

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Should there be an actual case or cases of smallpox identified, vaccinated teams will be mobilized to vaccinate and follow-up with persons exposed, investigate cases and to care for those with smallpox. The smallpox vaccine is very effective at preventing disease, however, it does have some risks. Out of every one million people vaccinated in the past, one or two died as a result of serious adverse reactions to the vaccine, while up to 50 others had life-threatening illness.

In the absence of actual smallpox disease, careful screening of potential vaccine recipients is essential to ensure that those at increased risk for adverse reactions do not receive the vaccine. If smallpox cases are discovered, the smallpox vaccine is effective in a post-exposure situation and all persons exposed and potentially exposed should be vaccinated. Smallpox cannot be contracted from the smallpox vaccine that is called “vaccinia.” This cousin of smallpox does provide immunity against the smallpox virus but is not smallpox.

The first group of individuals considered for voluntary pre-event smallpox vaccination includes the vaccinators themselves plus smallpox public health and hospital response teams. Then in fall 2003, emergency responders including some Emergency Medical Technicians, firefighter and additional health care workers may be offered the smallpox vaccination. The CDC does not currently recommend vaccinating the general public at this time.

Now that the bill has been signed into law, the Utah Department of Health and Utah’s 12 local health departments will proceed in setting timelines for delivery of vaccine to healthcare response teams in their communities.

For more information on HB 160, visit <http://www.le.state.ut.us/~2003/hmdoc/hbillhtm/HB0160.htm>